

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: JOSE DIEGO MONROY DEBTOR _____	§ § § § § § § § § § §	BANKRUPTCY CASE CASE NO. 20-34341 CHAPTER 7
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MOTION TO LIFT STAY

THIS IS A MOTION FOR ENTRY OF AN AGREED ORDER CONDITIONING THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT WITHIN 14 DAYS OF THE DATE THIS WAS MAILED TO YOU. IF NO TIMELY OPPOSITION IS FILED, THE COURT MAY GRANT THE RELIEF WITHOUT A HEARING.

TO THE HONORABLE JUDGE CHRISTOPHER M. LOPEZ
OF THE UNITED STATES BANKRUPTCY COURT:

1. Movant: Master General Contractors, Inc. and seeks to lift the automatic stay in this matter pursuant to 11 U.S.C.S. § 362(d).
2. Movant, Plaintiff, MASTER GENERAL CONTRACTORS, INC., is a Judgment Creditor in Cause No. 2018-90590 *Master General Contractors, Inc. v. Ronald Lockridge, Tina Lockridge & Dally Monroy Construction, Inc.* in the 165th Judicial District Court for Harris County, Texas. “the Judgment” for \$423,251.83, pre-judgment interest, costs of court and post-judgment interest at the rate of 5.0% per annum signed December 12, 2019 with a current value of \$524,736.20.
3. Movant has existing causes of action against Ronald and Tina Lockridge in Cause No. 2018-90590 *Master General Contractors, Inc. v. Ronald Lockridge, Tina Lockridge & Dally Monroy Construction, Inc.* which has been stayed since August of 2020 pursuant to 11 USC 362(a)(1).

4. Ronald and Tina Lockridge have a cross-claim against Debtor in the state court suit for which judgment has not been taken but for which the majority of the damages (save and except a claim for attorney's fees and a \$10,000.00 claim for statutory damages) are for those same damages covered by Movant's December 12, 2019 judgment which has a current value of \$524,736.20 plus costs of court and interest thereon.

5. Based on the foregoing, movant seeks termination of the automatic stay to allow the parties and State District Court to proceed with litigating Cause No. 2018-90590 *Master General Contractors, Inc. v. Ronald Lockridge, Tina Lockridge & Dally Monroy Construction, Inc.* in the 165th Judicial District Court for Harris County, Texas.

6. In addition, the current default judgment against the debtor, the claims by the Lockridge Defendants in this matter contain fraud allegations which would constitute an exception to dischargeability of any additional judgment rendered in this matter pursuant to 11 USC § 523(a)(2)(A) in addition to those pled in the adversary proceeding under Cause 20-03466.

7. Additionally, Movant may be irreparably harmed by further delay in its ability to prosecute, finalize and collect on action against Ronald and Tina Lockridge. Movant has learned that Ronald and Tina Lockridge have more than doubled their indebtedness on the 4402 Rex Road Property (upon which Movant built multiple structures and systems, such work being the basis of the underlying state court suit). In 2018, when Movant commenced its suit against the Lockridge Defendants they had a loan with Texan bank which held a lien on the property for approximately \$670,000.00. In March of 2021, a new deed of trust was filed on the property for the sum of approximately \$1.8 million. This increase of indebtedness on the largest asset of these Defendants puts Movant in peril of obtaining a judgment for which the judgment debtors have no assets to satisfy same left which would irreparably harm the Movant.

8. If the stay is lifted, no action will be taken to collect assets of the Bankruptcy Estate without further order of this Court.

9. Movant certifies that prior to filing this motion an attempt was made to confer with the Trustee, Ronald Campana and Debtor's counsel by e-mail by Stephanie M. Harp on April 28, 2021. Trustee Janet Northrup is unopposed to the Motion. An agreement could not be reached with Counsel for Debtor or Counsel for the Lockridge Defendants as no response was received.

Respectfully Submitted,

/s/ Stephanie M. Harp

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